

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. 2:22-cv-07947-ODW-MAA Date: March 10, 2023

Title *Arroyo v. Kijakazi*

Present: The Honorable Maria A. Audero, United States Magistrate Judge

Narissa Estrada
Deputy Clerk

N/A
Court Reporter / Recorder

Attorney Present for Plaintiff:
Not present

Attorneys Present for Defendant:
Not present

Proceedings (In Chambers): ORDER TO SHOW CAUSE

On November 1, 2022, Plaintiff Ethan T. Arroyo (“Plaintiff”) filed a complaint (“Complaint”) (ECF No. 1). On January 5, 2023, Plaintiff’s request to proceed in *forma pauperis* (ECF No. 5) was granted (ECF No. 7). On January 9, 2023, upon Plaintiff’s request (ECF No. 3), the Court Clerk issued a summons (ECF No. 8). On January 9, 2023, the Court issue the Case Management Order (“CMO”), which provides in Section III that Plaintiff must serve the Complaint promptly and file a proof of such service by no later than thirty (30) days after the date of the CMO—here, **by February 8, 2023**. (ECF No. 9 at 2.)

To date, Plaintiff has failed to file any proof of service or request an extension of time in which to do so. Accordingly, Plaintiff is **ORDERED TO SHOW CAUSE no later than April 9, 2023** why this Court should not recommend that the action be dismissed with prejudice for failure to prosecute. Plaintiff may discharge this Order by filing a proof of service.

Alternatively, Plaintiff may decide to dismiss the Complaint without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1) by filing a Notice of Dismissal. The clerk is directed to provide Plaintiff with a Notice of Dismissal Form (CV-009).

Plaintiff is cautioned that failure to timely file a response to this Order to Show Cause or a proof of service may result in a recommendation that this action be dismissed without prejudice for failure to prosecute and obey Court orders pursuant to Federal Rule of Civil Procedure 41(b).

It is so ordered.